S.B.CRIMINAL MISC. BAIL APPLICATION NO.2007/2007

(Balu & Ors. vs. State of Rajasthan)

DATE OF ORDER : July 05, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.J.S.Choudhary, for the petitioners.
Mr.Ashok Upadhyaya, Public Prosecutor for State.

Heard learned counsel for the petitioners as well as the Public Prosecutor for the State. Perused the order impugned and the police investigation diary.

Learned counsel for the petitioners has placed on record a certified copy of the complaint filed by petitioner No.5 Parsi wife of Devilal against her husband Devilal, his father Lobh Chand Bairva and two others under section 12 of the Protection of Women from Domestic Violence Act, 2005 (for short `the Act' hereinafter) and claims that she is wife of Devi Lal.

Be that as it may, without commenting on the merit of the case, which may prejudice the case of either party at the trial, having considered the totality of facts and circumstances of the case, I think it just and proper to grant anticipatory bail to the petitioners.

Accordingly, it is directed that in the event of arrest of petitioners Balu s/o Udai Ram, Bhagwan Lal s/o Udai Ram, Tamu w/o Udai Ram, Chunna D/o Hira and Parsi D/o Balu in CR No.141/2007, P.S. Gangapur, Bhilwara, they shall be released on bail for a period till the police concludes the investigation and files the challan provided each of them furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount each to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

(i)That they shall make themselves available for interrogation by a police officer as and when required;

(ii)That they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That they shall not leave India without the previous permission of the Court.

The petitioners shall surrender before the trial court on the date of filing of the challan.

(H.R.PANWAR),J.

m.asif/-